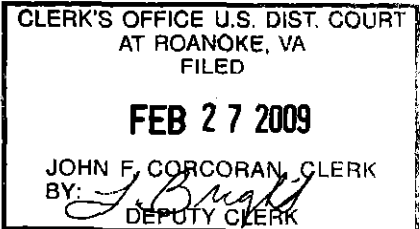


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION



THOMAS F. PIEPENHAGEN,

Plaintiff,

v.

OLD DOMINION FREIGHT LINE, INC.  
EMPLOYEE BENEFIT PLAN,

Defendant.

Civil Action No. 7:08-CV-00236

**FINAL ORDER**

By: Hon. James C. Turk

Senior United States District Judge

In accordance with the accompanying Memorandum Opinion, it is hereby

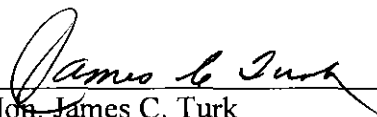
**ADJUDGED AND ORDERED**

that:

1. Defendant Old Dominion Freight Line, Inc. Employee Benefit Plan's Motion for Summary Judgment (Docket No. 24) is **GRANTED**;
2. Plaintiff Thomas F. Piepenhagen's
  - a. Motion for Summary Judgment (Docket No. 22) is **DENIED**;
  - b. Request for Attorneys Fees (Docket No. 27) is **DENIED**; and
  - c. Objections to the Authenticity of the Administrative Record (Docket No. 19) is **DENIED**, to the extent that Piepenhagen seeks any information not already provided by ODFL

The clerk of court is directed to strike the matter from the active docket and to send a copy of this Final Order and accompanying Memorandum Opinion to counsel of record for each party.

ENTER: This 27th day of February, 2009.

  
Hon. James C. Turk  
Senior United States District Judge